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**MEMO ENDORSED**

December 8, 2017

Via ECF and facsimile-212-805-7949

Honorable P. Kevin Castel  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12-8-17
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Re: In re Application of Apostolos Mangouras, for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings from Squire Patton Boggs (US) LLP and Brian Starer,

Consolidated with

In re Application of Apostolos Mangouras, for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings from Charles Cushing and C.R. Cushing & Co.

Docket No.: 17-mc-00172  
TLO File No. 0806

Honorable Sir:

We are attorneys for the Applicant, Apostolos Mangouras, in the above cited matter. We are writing to oppose Respondents' request to brief the issue of Spanish privilege again, and to establish a schedule for Respondents' compliance with the subpoenas served on them.

Respondents' counsel's letter of yesterday is intended only to further delay these proceedings. This Court has resolved the issues of privilege as they were raised by Respondents in every brief they have submitted. Their foreign law experts' statements about Spanish privilege were found to be "self-serving" and "conflicting." (ECF 76). No further briefing is required on the point of Spanish privilege. No further delay should be tolerated.

As noted in our letter to the Court of November 3, 2017, (ECF 63), and as detailed in our Opposition to Respondents' Motion for Stay pending Appeal, (ECF 68), Capt. Mangouras' Querella Criminal against Mr. Jens Jorgen Thuesen becomes time barred on or about January 8, 2018 and the European Court of Human Rights may require submission of the Cushing evidence on short notice. The Cushing evidence needs to be analyzed by experts before it can be

submitted. A detailed schedule for Respondents' compliance, at least insofar as the urgent production is concerned, should be established. In this regard, we respectfully propose the following dates for Respondents' compliance to satisfy the Applicants' urgent needs:

December 12, 2017: Squire Patton Boggs to produce the 196 paper documents to which no work product privilege has been asserted;

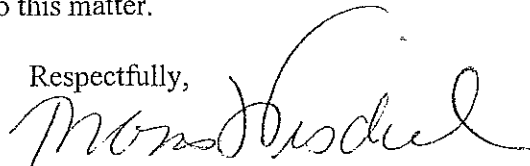
December 19, 2017: Squire Patton Boggs to produce all of the electronic evidence which is responsive to the requests concerning Mr. Jens Jorgen Thuesen;

December 29, 2017: Respondents CR Cushing and Dr. Charles Cushing to produce documents responsive to the subpoena served on them on June 9, 2017. (Dkt. 17-mc-186, ECF 6, 7);

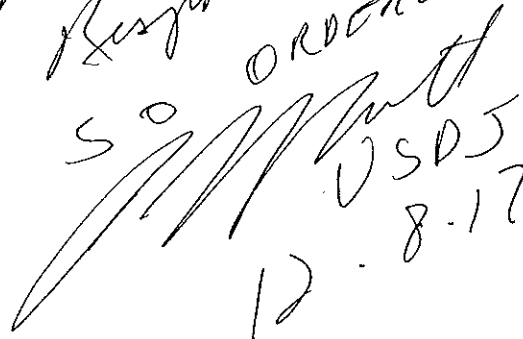
January 19, 2018: Squire Patton Boggs to produce the remainder of the documents responsive to the subpoena served on them on May 28, 2017. (ECF 8, 9).

We are grateful for this Court's attention to this matter.

Respectfully,

  
Thomas L. Tisdale

mt

The proposed schedule  
is adopted as an Order  
of this Court directed  
to Respondents.  
SO ORDERED  
  
USDJ  
12-8-17